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Date: September 15, 2003

No. of Pages: 5 (including this cover sheet)

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Name: Commissioner of Patents

Art Unit: 2882

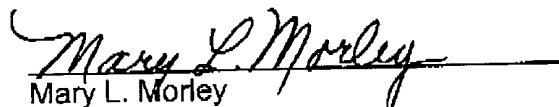
Examiner: George Y. Wang

Phone: 703-305-7242

From: Joel A. Kauth for David J. Bailey  
Reg No. 41,886Re: Application No. 09/547,790  
Filed April 12, 2000Entitled SPATIALLY MODULATED INTERFEROMETER PRISM AND  
SHEARING DEVICE THEREFOR

File: C766:39260/RAG

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO  
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON September 15, 2003.

  
Mary L. Morley

\*Correspondence:

Request for Continued Examination (RCE) Transmittal (3 pages);

Petition for Extension of Time (1 page)

For Office Services Use Only  
Return to Mary L. MorleyChristie, Parker & Hale, LLP  
350 West Colorado Boulevard  
Post Office Box 7068  
Pasadena, CA 91109-7068  
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Fax: 626-577-8800**confidential**

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OFFICIAL

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**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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*I hereby certify that this correspondence is being facsimile transmitted to the United States  
Patent and Trademark Office on September 15, 2003.*

*Mary L. Morley*  
Mary L. Morley

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Application Number : 09/547,790  
Filing Date : April 12, 2000  
Inventor(s) : Francis M. Reininger  
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM  
SHEARING DEVICE THEREFOR

Group Art Unit : 2882  
Examiner Name : George Y. Wang  
Docket No. : 39260/RAG/C766

Date: September 15, 2003

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**MAIL TO: Mail Stop RCE**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a. ☒ Pending (no review proceedings active)
- (1) ☐ An Action was mailed by the Office on   , as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was mailed on June 5, 2003
- ☐ via Express Mail
- ☒ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid and a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

**2. SUBMISSION(S) REQUIRED (check at least one)**

- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on June 5, 2003
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on

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**REQUEST FOR CONTINUED EXAMINATION (RCE)  
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**Application No. 09/547,790**

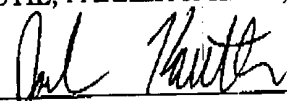
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- b. ☐ Other:  
☐ Enclosed  
☐ Amendment/Reply  
☐ Affidavit(s)/Declaration(s)  
☐ Information Disclosure Statement  
☐ Documents under 37 CFR § 1.48  
☒ Petition for Extension of Time  
☐ Other:

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP**, P.O. Box 7068, Pasadena, CA 91109-7068.

Respectfully submitted,

**CHRISTIE, PARKER & HALE, LLP**

By   
Joey A. Kauth  
Reg. No. 41,886  
628/795-9900

DJB/mlm

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 09/547,790**

<b>PART I — BASIC FEE</b>			
<b>BASIC FEE</b>	<b>Small Entity</b> \$375.00	<b>Large Entity</b> \$750.00	<b>\$375</b>

<b>PART II — ADDITIONAL CLAIMS (compared to application before RCE)</b>						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	34	*35		x \$9.00	x \$18.00	
Independent Claims	8	**8		x \$42.00	x \$84.00	
First Presentation of Multiple Dependent Claim				\$140.00	\$280.00	
<b>TOTAL CLAIMS FEE</b>						<b>\$</b>
List Independent Claims: 6, 12, 13, 23, 24, 33, 34, 35						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
- a. Amount (total from Fee Calculation Sheet) \$375.00
- b.   X   The Commissioner is hereby authorized to charge the \$375.00 fee under 37 CFR 1.16 and 1.17 required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

MLM IRV1069643.1-\*09/15/03 5:01 PM